

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

(1) **PINNACLE PACKAGING COMPANY, INC.**, an
Oklahoma corporation,
(2) **POLO ROAD LEASING, LLC**,
an Oklahoma limited liability company, and
(3) **J. SCOTT DICKMAN**,

Plaintiffs,

v.

Case No. 12-CV-537-JED-TLW

(1) **ONE EQUITY PARTNERS LLC**,
a Delaware limited liability company,
(2) **ONE EQUITY PARTNERS (EUROPE) GmbH**,
and (3) **CONSTANTIA FLEXIBLES GmbH**,
an Austrian corporation,

Defendants.

**DEFENDANTS ONE EQUITY PARTNERS LLC, ONE EQUITY PARTNERS
(EUROPE) GmbH, AND CONSTANTIA FLEXIBLES GmbH'S
MOTION FOR ORAL ARGUMENT ON MOTION TO DISMISS**

Defendants One Equity Partners LLC, One Equity Partners (Europe) GmbH,
and Constantia Flexibles GmbH request, pursuant to LCvR78.1, oral argument with
respect to the matters raised in Defendants' Motion to Dismiss [Dkt 53]. Plaintiff
responded to the Motion to Dismiss [Dkt 57], and Defendants replied [Dkt 62]. In support,
the Defendants state:

1. Counsel for Defendants has conferred with counsel for Plaintiffs, and
Plaintiffs have no objection to this Motion.
2. Plaintiffs seek to assert personal jurisdiction over Defendants located, *inter
alia*, in Austria and Germany. Defendants have moved to dismiss the case based on
personal jurisdiction and failure to state a claim for relief.

3. As demonstrated by the Amended Complaint, and the extensive briefing and exhibits related to Defendants' Motion to Dismiss, the alleged facts are confusing and contradictory.

4. The attorneys in this case have knowledge of the alleged facts and the legal theories in dispute that exceed the depth and breadth that could be reasonably discussed even in the oversized briefs filed with the Court.

5. Oral argument will enable the Court to question the attorneys regarding these issues and discuss the important legal and constitutional issues presented in this case, and thereby materially assist the Court in deciding these issues.

WHEREFORE, the Defendants respectfully request the Court grant their motion, and schedule Defendants' Motion to Dismiss for oral argument.

Dated: 23 October 2013

s/ Charles R. Willing

John D. Russell, OBA No. 13343
Charles R. Willing, OBA No. 15873
FELLERS, SNIDER, BLANKENSHIP,
BAILEY & TIPPENS, P.C.
321 S. Boston Avenue, Suite 800
Tulsa, Oklahoma 74103
Telephone (918) 599-0621
Facsimile (918) 583-9659
jrussell@fellerssnider.com
cwilling@fellerssnider.com

and

Gabrielle Gould, *Pro Hac Vice*
Cheryl Howard, *Pro Hac Vice*
FRESHFIELDS BRUCKHAUS DERINGER US LLP
601 Lexington Avenue, 31st Floor
New York, New York 10022
Telephone (212) 277-4000
Facsimile (212) 277-4001
gabrielle.gould@freshfields.com
cheryl.howard@freshfields.com

**COUNSEL FOR DEFENDANTS
ONE EQUITY PARTNERS LLC, ONE
EQUITY PARTNERS (EUROPE) GmbH,
and CONSTANTIA FLEXIBLES GmbH**

CERTIFICATE OF SERVICE

I hereby certify that on 23 October 2013, I electronically transmitted DEFENDANTS ONE EQUITY PARTNERS LLC, ONE EQUITY PARTNERS (EUROPE) GMBH, AND CONSTANTIA FLEXIBLES GMBH'S UNOPPOSED MOTION FOR HEARING ON MOTION TO DISMISS to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Laurence Lindsay Pinkerton – pf@att.net
James David Jorgenson – pf@att.net
COUNSEL FOR PLAINTIFFS

s/Charles R. Willing

Charles R. Willing

09924.30556